

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI

In re

Case No. 12-11586-JDW

WILLIE SCALES
DEBORAH SCALES

Chapter: 13

Debtor

MOTION TO LIFT STAY BY
O.B. PRIDE AUTO SALES, INC. D/B/A CROSSROADS AUTO

Comes now, your creditor, O.B. Pride Auto Sales, Inc d/b/a Crossroads Auto, and moves the Court to lift the automatic stay to allow O.B. Pride to proceed with its State Court remedies on its post-petition debt. O.B. Pride would state unto the Court as follows:

1. On or about April 18, 2012, the debtors, Willie Scale and Deborah Scales, filed their Chapter 13 bankruptcy petition with this Court under case number 12-11586-JDW.
2. On or about October 1, 2014, the debtor, Deborah Ann Scales executed and entered into a Closed End Motor Vehicle Lease Agreement with O.B. Pride. A copy of the Agreement is attached hereto as Exhibit "A".
3. Under the terms and conditions the debtor leased a 1997 Toyota Camry LE, VIN JT2BG22K6V0016797.
4. The debtor is in default under the terms and conditions of the lease agreement.
5. The agreement executed and entered into by the debtor, Deborah Ann Scales, was executed post-petition and this is a post-petition debt.

6. The creditor moves the court to lift the stay to allow the credit to proceed with their remedies in State Court, including, obtaining a judgment against the debtor for the amount due and owing.

7. The credit will not execute on any judgment obtained in State Court unless and until the debtor's plan is either dismissed or discharged.

8. The debt due and owing to OB Pride shall not be subject to any discharge order obtained as the debt is post-petition debt.

9. The stay should be lifted to allow the creditor, O.B. Pride Auto Sales, Inc. d/b/a Crossroads Auto, to proceed with its State Court remedies in regards to this post-petition debt.

WHEREFORE, PREMISES CONSIDERED, said creditor moves the Court to lift the automatic stay.

STONE, HIGGS & DREXLER

/s/ Brittan Webb Robinson
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BWR/16-01055-0

CERTIFICATE OF SERVICE

The following individuals were served the above pleading on August 2, 2017:

DEBTOR, Willie and Deborah Scales, 802 W. Woodward Avenue, Holly Springs, MS 38635

DEBTOR ATTORNEY, Karen B. Schneller, Attorney at Law – Via ECF

TRUSTEE, Locke D. Barkely – Via ECF

US TRUSTEE, Via ECF

/s/ Brittan Webb Robinson